

ATTACHMENT A REMARKS

Considering the matters raised in the Office Action in the same order as raised, claims 10-12 have been rejected under 35 USC 102(b) as being “anticipated by” the newly cited Herres reference. Claim 10 has been amended to more clearly distinguish over the Herres patent.

The Herres patent discloses an ultrasound imaging apparatus including a probe and a linear array of ultrasound transducer elements arranged along the axis of the probe. The ultrasound transducer array, denoted 22, includes an elastomeric sheath 64 which is being read by the Examiner as the claimed “lips.” The sheath 64 “fits snugly around the remainder of transducer holder 48 and is secured to the inner wall of housing 58 adjacent to bearing 62 to define a sealed fluid chamber 66” (column 4, lines 62-66). The reference also discloses that “[a]n acoustic coupling fluid fills chamber 66” at line 66 of column 4 (the line to which the Examiner has made reference).

It is believed that the rejection here is the product of the breadth of original claims 10-12 in that the Herres patent is of limited relevance to the “lip” feature of the present invention as now claimed. In this regard, claim 10 has been amended to include more of the environment of this feature and now recites, inter alia, a probe having an internal face and a moving array transducer movable relative to the probe housing and including an external surface disposed adjacent to the internal surface of the probe housing. Amended claim 10 also recites that the moving array transducer comprises “at least one lip disposed at an edge portion of the moving array transducer located adjacent to said external surface so as to create a reservoir adjacent to the internal surface of the probe housing for retaining a quantity of coupling fluid such that the coupling fluid moves with the transducer and is coupled to the internal surface of the probe housing.”

It is respectfully submitted that claim 10, as amended, clearly distinguishes over the Herres reference, and, more specifically, with the above-noted changes made in claim 10, the stationary elastomeric sheath 64 can no longer be read as the “at least one lip” recited in the claims. Thus, it is respectfully submitted that claim 10 is patentable over the Herres patent.

As is evident from the material from claim 10 recited above, the recitation "lips" has been changed to -- at least one lip -- and the recitation "coupling grease" has been changed to read -- coupling fluid --. These changes are clearly supported by the specification and the drawings. Claims 10 and 11 have also been amended to reflect the change in claim 10.

Allowance of the application in its present form is respectfully solicited.

END REMARKS